

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	: 10/799,992	Confirmation No.	8783
Applicant	: Sean E. Purcell, et al.		
Filed	: 03/12/2004		
Title	: MESSAGE JUNK RATING INTERFACE		
Group Art Unit	: 2456		
Examiner	: Kevin S. Mai		
Docket No.	: 308122.01/MFCP.149237		
Customer No.	: 45809		

**VIA EFS – March 16, 2012**

Mail Stop RCE  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**PETITION FOR EXTENSION OF TIME**

Applicants hereby request a three-month extension of time extending the period for response to March 19, 2012. The appropriate extension fee is submitted herewith. The Commissioner is hereby authorized to charge any additional fees that are required, or credit any overpayment, to Deposit Account No. 19-2112.

**RESPONSE**

In response to the Final Office Action mailed September 19, 2011, please amend the above-identified application as follows:

**Amendments to the Claims:** begin on page 2 of this paper.

**Remarks:** begin on page 10 of this paper.

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) A junk message interface system that facilitates identifying junk messages comprising:

a processor for executing the following components:

a message receiving component that collects at least one incoming message in a single inbox directory;

a filtering component that accepts the incoming message communicated from the message receiving component and determines whether a sender is known or trusted before scanning the message with a filter and determining a junk score for the incoming message, the junk score is computed to reflect a spam confidence level of the message, wherein the junk score is a value or fractional value between 0 and 1, and the spam confidence level corresponds to a probability that the message is spam or junk, wherein once the message has been scored, the message is bucketized in the single inbox directory based on the determined junk score and tagged with a junk rating which is added as an actionable property on the message such that the junk rating is displayed on a user interface in association with each respective message as a separate column so that a display of the messages can be visually altered based on the junk ratings of the messages by way of one or more display rules, ~~the that~~ one or more display rules allowing for certain messages located in the single inbox directory, based on the junk ratings, to be hidden thus facilitating viewing of only desired messages, wherein a user

can override the junk score via a user-based action that affects the junk score of the message and future messages, and wherein the user-based action comprises replying to the message;

a verification component that requests confirmation regarding the user-based actions on rated messages; and

a display component that renders the junk scores as an actionable property on a user interface to facilitate user management of incoming junk messages communicated from the filtering component.

2. (Original) The junk message interface system of claim 1, further comprising a view management component that provides one or more ways the user can modify treatment of the junk messages.

3. (Original) The junk message interface system of claim 2, the view management component comprises anyone of the following ways to mitigate against inadvertently opening a junk message comprising:

sorting and/or grouping messages based at least in part on at least one of their respective junk scores and their respective junk ratings;

filtering out messages with at least one of a junk score or a junk rating that does not satisfy at least a first criterion;

setting one or more actions to take against the messages when at least one of the respective junk scores or junk ratings that do not satisfy at least a second criterion; and

visually altering displays of messages according to at least one of their respective junk scores or junk ratings.

4. (Original) The junk message interface system of claim 3, the first criterion is configurably different from the second criterion.

5. (Original) The junk message interface system of claim 3, at least one of the first and second criteria is determined according to user preferences.

6. (Original) The junk message interface system of claim 3, visually altering the displays comprises color-coding, changing fonts, font sizes, backgrounds, adding or altering images, and/or adding or altering sounds associated with the respective messages based at least in part on their respective junk scores.

7. (Original) The junk message interface system of claim 1, further comprising an analysis component that examines junk scores of the incoming messages and orders them based at least in part on a spam confidence level associated with the respective messages.

8. (Original) The junk message interface system of claim 1, the display component is a user-interface that exposes a message's junk score to a user so that the user can organize its messages based in part on the respective junk scores.

9. (Original) The junk message interface system of claim 1, the filtering component further determines whether a source of the message appears to be trusted based on at least one of the following: user's blocked senders list, safe-list, address book, and safe-mailing list.

10. Canceled.

11. (Previously Presented) The junk message interface system of claim 10, the verification component fails user requests to perform an action with respect to a junk message until the user requests are verified by the users.

12. (Previously Presented) The junk message interface system of claim 1, wherein the messages are bucketized based on the determined junk so that the effects of features are seen only in aggregate, thereby mitigating reverse engineering of the junk score.

13-14. Canceled.

15. (Currently Amended) A method that facilitates identification of junk messages in a user's inbox comprising:

employing a processor to execute the identification of junk messages, comprising;

receiving a plurality of incoming messages in a single inbox directory;

determining whether a sender is known or trusted;

assigning a junk rating to the messages;

exposing at least the junk rating on a user interface;

calculating a junk score for substantially all incoming messages, the junk score is computed to reflect a spam confidence level of the message, wherein the junk score is a value or fractional value between 0 and 1, and the spam confidence level corresponds to a probability that the message is spam or junk;

bucketizing the message based on the calculated junk score while the message is located in the single inbox directory;

tagging the message with a junk rating which is added as an actionable property on the message such that the junk rating is displayed on a user interface in association with each respective message as a separate column so that a display of the messages can be visually altered based on the junk ratings of the messages by way of one or more display rules, the one or more display rules allowing for certain messages, based on the junk ratings, to be hidden thus facilitating viewing of only desired messages;

determining whether at least one of the junk score or the junk rating exceed a first threshold;

removing messages that exceed the first threshold to mitigate inadvertent access of them by the user, wherein the messages that exceed the first threshold are removed before they are viewable on the user interface; and

overriding the junk score via a user-based action that affects the junk score of the message and future message, wherein a confirmation is presented regarding the user-based action on the message, the user-based action including one or more of modifying or replying to the message.

16. Canceled.

17. (Previously Presented) The method of claim 15, wherein the messages are bucketized based on the calculated junk score so that the effects of features are seen only in aggregate, thereby mitigating reverse engineering of the junk score.

18. (Original) The method of claim 15, further comprising organizing junk messages based at least in part upon their junk rating.

19-20. Canceled.

21. (Original) The method of claim 15, the junk rating is based at least in part on one of the following: junk score, one or more safe lists, one or more safe sender lists, user-based actions, and/or user-generated address book.

22. (Original) The method of claim 21, user-based actions comprises at least one of the following:

unjunking a message by moving it from a junk state to a non-junk state resulting in an "unjunked" junk rating;

junking a message by moving it from a non-junk state to a junk state resulting in a "junked" junk rating; and

adding a sender to one or more safe lists to change the junk rating of the message to safe.

23. (Original) The method of claim 22, the user-based actions affect the junk rating of the message and/or future messages received from a particular sender.

24. (Original) The method of claim 15, assigning a junk rating to messages commensurate with at least their respective junk scores.

25. (Previously Presented) The method of claim 15, bucketizing the message based on the calculated junk score comprises:

providing a plurality of buckets comprising at least the following categorized buckets: an unscanned bucket, a light bucket, a medium bucket, and a high bucket, the plurality of buckets respectively assigned to a range of junk score values;

dropping messages into respective buckets based at least in part on their calculated junk score such that the respective bucket determines the junk rating for the respective messages.

26. (Original) The method of claim 15, further comprising exposing respective junk scores for the messages.

27-28. Canceled.

29. (Previously Presented) A computer storage media having stored thereon the system of claim 1.

30. (New) A method that facilitates identification of junk messages in a user's inbox, the method comprising:

receiving a plurality of email messages in a single inbox directory;

assigning a junk rating for each of the plurality of email messages in the single inbox directory;

based on the junk rating, calculating a junk score for the each of the plurality of email messages in the single inbox directory;

displaying the junk ratings on a user interface in association with the respective email messages in the single inbox directory;



receiving an indication that a first email message of the plurality of email messages has been modified by the user; and

dynamically updating the junk rating of the first email message on the user interface based on the user modification to the first email message.

### **REMARKS**

Applicants respectfully request reconsideration of the present Application. Claims 1 and 15 have been amended herein. Claim 30 has been added. Care has been exercised to introduce no new matter. Support for the claim amendments can be found in the as-filed Specification at, for example, ¶¶ [0010], [0026], [0027], and FIG. 6, although additional support can be found throughout the as-filed Specification. Claims 1-9, 11-12, 15, 17-18, 21-26, and 29-30 are pending and are in condition for allowance.

#### **Rejections based on 35 U.S.C. § 103**

##### ***A) 103(a) Rejection of Claims 1-9, 11, and 12 under Rajan, Murray, Harris, Arthur, and Adkins***

Claims 1-9, 11 and 12 were rejected under 35 U.S.C. § 103(a) as purportedly being unpatentable over Rajan, et al., US Publication No. 2005/0165895 (hereinafter “Rajan”) and further in view of Murray, U.S. Publication No. 2005/0080855 (hereinafter “Murray”) and further in view of Harris, U.S. Publication No. 2010/0153381 (hereinafter “Harris”) and further in view of Arthur et al., U.S. Patent No. 7,640,305 (hereinafter “Arthur”) and further in view of Adkins, U.S. Publication No. 2004/0243844 (hereinafter “Adkins”). Applicants traverse this rejection, for the reasons set forth below.

Independent 1 has been amended herein to recite, in part,

a message receiving component that collects at least one incoming message *in a single inbox directory*, and the message is bucketized *in the single inbox directory* based on the determined junk score and tagged with a junk rating which is added as an actionable property on the message such that the junk rating is displayed on a user interface in association with each respective message as a separate column so that a display of the messages can be visually altered based on the junk ratings of the messages by way of one or more display rules, the one or

more display rules allowing for certain messages *located in the single inbox directory*, based on the junk ratings, to be hidden thus facilitating viewing of only desired messages. .  
(emphasis added)

Initially, Applicants respectfully submit that Rajan fails to teach or suggest, at least, receiving email messages into a single inbox directory and even once the email messages are assigned junk ratings and are bucketized based on the junk ratings, the email messages are still located in the single inbox directory, as opposed to being put into separate folders or directories based on the level of spaminess. Rajan is clearly directed to placing email messages in different directories based upon a level of spaminess of each email message. Rajan, ¶ [0014] Various directories, represented by a color, each have a range of spaminess. *Id.* at ¶ [0016]. For example, “[i]f the scale employed is 0 to 100, an exemplary range could be above 80 for the “black” spam directory. Correspondingly, a spam directory labeled ‘grey’ could be provided for containing email whose level of spaminess is graded medium, representative of probably constituting spam. An exemplary range for the ‘grey’ spam directory could be 30-80. Thus all incoming email graded to have a spaminess level of above 80 *would be moved from the Inbox to the ‘black’ spam directory.* . .” *Id.* (emphasis added).

With the amendments to independent claim 1, Applicants respectfully submit that Rajan teaches away from the invention of claim 1. Rajan is clear that emails are moved to various labeled directories according to their respective levels of spaminess. Independent claim 1, to the contrary, clearly recites that email messages are received into a single inbox directory, and even after being bucketized based on junk ratings, are kept in the single inbox directory so that a user is able to view all of the emails, even junk messages, in a single folder. Thus, the user is able to manipulate the view of email messages based on the junk ratings. Rajan does not allow for this, as emails are placed into different folders so that the user is unable to manipulate the

view of emails based on a level of spaminess, as now required by independent claim 1 as amended herein. As such, Rajan clearly teaches away from claim 1 and is improperly combined with the other cited references.

The most recent Office Action mailed 9/19/2011 in “Response to Arguments” mentions that “examiner notes that there is no mention in the limitations of claim 1 about using only a single folder as such it is seen that this argument is directed toward unclaimed features.” *See*, Final Office Action, 9/19/2011, p. 2. As Applicants have now added this feature into claim 1, Applicants believe this point is now moot. *See*, Final Office Action, 9/19/2011, p. 2. Further, the “Response to Arguments” cites to paragraphs [0010] and [0013], which summarize various embodiments of the invention, including an embodiment where a junk folder is utilized such that not all email messages are in a single inbox directory, even after being categorized. *See id.* Applicants agree that this is just one of many embodiments recited in the as-filed Specification, and also respectfully submit that there is ample support in the as-filed Specification for having all email messages in a single inbox directory, even after the messages are assigned junk ratings and are bucketized according to these junk ratings. By way of the amendments made herein, Applicants have limited the scope of claim 1 to those embodiments where the email messages stay in a single inbox directory, although other embodiments are mentioned in the as-filed Specification.

As mentioned, Applicants respectfully submit that Rajan teaches away from the invention of claim 1 for the reasons provided above. Rajan generally teaches that emails are graded based on their level of suspicion of being spam, “and then moving or copying the incoming e-mails into one or more of the spam directories based upon the e-mails’ respective levels of spaminess.” Rajan, Abstract. Applicants submit that both moving and copying emails

would teach away from the invention of claim 1. Applicants believe that the intention of “copying” emails to spam directories in Rajan is to completely remove the emails from the inbox when they are copied, so as not to have multiple copies, both in the inbox and in a spam directory. Even if moving emails is interpreted as keeping a copy of the email in the inbox and placing a copy in one or more spam directories, this would clearly render Rajan unsatisfactory and inoperative for its intended purpose. “If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification.” MPEP 2143.01(V) (*citing In re Gordon*, 733 F.2d 900 (Fed. Cir. 1984). Modifying Rajan to keep all emails in the single inbox directory where they are originally placed before being assigned a junk rating would completely render Rajan unsatisfactory for its intended purpose, which is to take email messages out of the user’s inbox so that the user doesn’t have to view all of the spam messages that he or she receives. “Ideally, all of the spam will be moved to the spam directory, thereby obviating the need for the recipient to read the e-mail in the spam directory.” Rajan, ¶ [0006]. Further, the stated purpose of Rajan is to allow a user to “review the mail suspected to constitute spam in each of the spam directories at a frequency and with a level of care commensurate with the assigned spaminess range associated with each spam directory. Indeed, the recipient may not necessarily review the mail in the directory with the highest level of spaminess. Moreover, such mail may be automatically deleted immediately or with an appropriate delay.” *Id.* at ¶ [0017]. This clearly shows that the intended purport of Rajan would be destroyed and make Rajan inoperative for its intended purpose if emails were kept in the inbox in addition to being moved into spam directories, and as such, Applicants submit that copying emails, without further description in

Rajan to clarify this point, does not mean that emails are kept both in the inbox and moved to a spam directory.

The idea of moving or copying emails from the inbox to spam directories not only teaches away from the invention of claim 1, as amended herein, but also renders Rajan inoperative for its intended purpose if Rajan were to be modified to not move emails into spam directories, but to keep all emails in a single inbox directory, as required by claim 1. As mentioned, the intended purpose of Rajan is to remove spam messages for the recipient's inbox and move them to spam directories so that recipient has the option to view those spam emails or not. Claim 1, to the contrary, gives the recipient the opportunity to manipulate and modify the display of all emails in the user's inbox so that all emails are shown, along with their junk ratings so that user can choose to view them at the user's discretion. Maintaining all spam emails in the user's inbox, as required by claim 1, makes Rajan unsatisfactory for its intended purpose.

In addition to Rajan, Applicants respectfully submit that Murray teaches away from the invention of claim 1, as amended herein. As claim 1 now recites that the email messages, even those with spam junk ratings, stay in the single inbox directory, Murray's teachings are directly to the contrary. Murray, on the other hand, teaches that "the message could be deleted or sent to a spam folder (i.e., any folder designated as holding suspected unsolicited e-mail). In this embodiment, the spam folder is located at the recipient although it could be located at the incoming mail server in other embodiments." Murray, ¶ [0027]. Every embodiment of Murray teaches removing spam messages from the user's inbox. As such, when considered as a whole, Murray clearly teaches away from the invention of claim 1 and as such is improperly combined with the other cited references.

Further, modifying Murray to align with the teachings of claim 1 would render Murray unsatisfactory and inoperable for its intended purpose. The intended purpose of Murray is create a whitelist for e-mail messages that are received by a recipient. “The whitelist is constructed using e-mail addresses stored by the recipient.” Murray, Abstract. “Although the whitelist may contain just e-mail addresses, the e-mail address may be combined with at least one other piece of information from the message header. This information includes fields such as the display name, the final IP address, x-mailer, final domain name, user-agent, information about the client software used by the sender. . .” *Id.* at ¶ [0025]. If Murray were to be modified to keep all emails in the inbox, this could completely render Murray unsatisfactory for its intended purpose, as the whitelist would be useless and would have no purpose, which is the crux of the entire invention of Murray.

In addition to Rajan and Murray, Applicants further submit that Adkins teaches away from the invention of claim 1, as it clearly teaches that “[i]f the received email message’s sender is listed in the user’s inclusive or temporary address book then the email is placed in the user’s main mailbox” but “[i]f the sender is listed in the user’s exclusive address book, then the message is deleted.” Adkins, Abstract. Further, Adkins teaches that “[i]ncoming messages are not deleted (except for specified senders and domains) so the user never loses any e-mail. All messages from unauthorized senders are placed in a pending mailbox *outside of the users inbox.*” *Id.* at ¶ [0040] (emphasis added). As such, it is clear that Adkins, to the contrary of claim 1, does not keep all email messages in a single inbox directory, but rather deletes some email messages and places others in a mailbox *outside of the users inbox*. This is directly contrary to claim 1 and thus teaches away from the invention of claim 1. As such, when

considered as a whole, Adkins clearly teaches away from the invention of claim 1 and as such is improperly combined with the other cited references.

Similar to that described above with several other references, modifying Adkins to retain all email messages in a single inbox directory would render Adkins unsatisfactory for its intended purpose. The intended purpose of Adkins is to provide control of incoming email messages to a recipient's inbox by only allowing for authorized senders' emails to be kept in the inbox. Adkins, Abstract. Otherwise the messages are deleted or promptly moved to another folder other than the inbox. *See id.* at ¶ [0040]. Modifying Adkins so that all emails are placed and kept in a single inbox directory as required by claim 1 would completely render Adkins unsatisfactory for its intended purpose, in addition in destroying its principle of operation, as deleting/moving emails from the inbox that the user may not want to see is the purpose of Adkins. Otherwise there is nothing required if all emails are left in the inbox.

Dependent claims 2-9 and 11-12 depend, either directly or indirectly from independent claim 1, and as such Applicants request removal of the 103(a) rejection of these claims for the same reasons provided above with respect to claim 1. As such, Applicants respectfully submit that claims 1-9 and 11-12 are now in condition for allowance, and request such favorable action.

***B) 103(a) Rejection of Claims 15, 17, 21-26, and 29 under Rajan, Murray, Harris, and Adkins***

Claims 15, 17, 18, 21-26 and 29 were rejected under 35 U.S.C. § 103(a) as purportedly being unpatentable over Rajan and further in view of Murray and further in view of Harris and further in view of Adkins. Applicants traverse this rejection, for the reasons set forth below.



Independent claim 15, as amended herein, recites, in part,

receiving a plurality of incoming messages *in a single inbox directory*;  
bucketizing the message based on the calculated junk score *while the message is located in the single inbox directory*; (emphasis added)

Initially, Applicants respectfully submit that Rajan fails to teach or suggest, at least, receiving email messages into a single inbox directory and even once the email messages are assigned junk ratings and are bucketized based on the junk ratings, the email messages are still located in the single inbox directory, as opposed to being put into separate folders or directories based on the level of spaminess. Rajan is clearly directed to placing email messages in different directories based upon a level of spaminess of each email message. Rajan, ¶ [0014] Various directories, represented by a color, each have a range of spaminess. *Id.* at ¶ [0016]. For example, “[i]f the scale employed is 0 to 100, an exemplary range could be above 80 for the “black” spam directory. Correspondingly, a spam directory labeled ‘grey’ could be provided for containing email whose level of spaminess is graded medium, representative of probably constituting spam. An exemplary range for the ‘grey’ spam directory could be 30-80. Thus all incoming email graded to have a spaminess level of above 80 *would be moved from the Inbox to the ‘black’ spam directory.* . . .” *Id.* (emphasis added).

With the amendments to independent claim 15, Applicants respectfully submit that Rajan teaches away from the invention of claim 15. Rajan is clear that emails are moved to various labeled directories according to their respective levels of spaminess. Independent claim 15, to the contrary, clearly recites that email messages are received into a single inbox directory, and even after being bucketized based on junk ratings, are kept in the single inbox directory so

that a user is able to view all of the emails, even junk messages, in a single folder. Thus, the user is able to manipulate the view of email messages based on the junk ratings. Rajan does not allow for this, as emails are placed into different folders so that the user is unable to manipulate the view of emails based on a level of spaminess, as now required by independent claim 15 as amended herein. As such, Rajan clearly teaches away from claim 15 and is improperly combined with the other cited references.

The most recent Office Action mailed 9/19/2011 in "Response to Arguments" mentions that "examiner notes that there is no mention in the limitations of claim 1 about using only a single folder as such it is seen that this argument is directed toward unclaimed features" and that "Applicant's arguments with respect to the remaining claims are similar to those presented above and are addressed similarly." *See*, Final Office Action, 9/19/2011, p. 2 and p. 5. As Applicants have now added this feature into claim 15, Applicants believe this point is now moot. Further, the "Response to Arguments" cites to paragraphs [0010] and [0013], which summarize various embodiments of the invention, including an embodiment where a junk folder is utilized such that not all email messages are in a single inbox directory, even after being categorized. *See id.* Applicants agree that this is just one of many embodiments recited in the as-filed Specification, and also respectfully submit that there is ample support in the as-filed Specification for having all email messages in a single inbox directory, even after the messages are assigned junk ratings and are bucketized according to these junk ratings. By way of the amendments made herein, Applicants have limited the scope of claim 15 to those embodiments where the email messages stay in a single inbox directory, although other embodiments are mentioned in the as-filed Specification.

As mentioned, Applicants respectfully submit that Rajan teaches away from the invention of claim 15 for the reasons provided above. Rajan generally teaches that emails are graded based on their level of suspicion of being spam, “and then moving or copying the incoming e-mails into one or more of the spam directories based upon the e-mails’ respective levels of spaminess.” Rajan, Abstract. Applicants submit that both moving and copying emails would teach away from the invention of claim 15. Applicants believe that the intention of “copying” emails to spam directories in Rajan is to completely remove the emails from the inbox when they are copied, so as not to have multiple copies, both in the inbox and in a spam directory. Even if moving emails is interpreted as keeping a copy of the email in the inbox and placing a copy in one or more spam directories, this would clearly render Rajan unsatisfactory and inoperative for its intended purpose. “If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification.” MPEP 2143.01(V) (*citing In re Gordon*, 733 F.2d 900 (Fed. Cir. 1984). Modifying Rajan to keep all emails in the single inbox directory where they are originally placed before being assigned a junk rating would completely render Rajan unsatisfactory for its intended purpose, which is to take email messages out of the user’s inbox so that the user doesn’t have to view all of the spam messages that he or she receives. “Ideally, all of the spam will be moved to the spam directory, thereby obviating the need for the recipient to read the e-mail in the spam directory.” Rajan, ¶ [0006]. Further, the stated purpose of Rajan is to allow a user to “review the mail suspected to constitute spam in each of the spam directories at a frequency and with a level of care commensurate with the assigned spaminess range associated with each spam directory. Indeed, the recipient may not necessarily review the mail in the directory with the highest level of spaminess. Moreover, such mail may be

automatically deleted immediately or with an appropriate delay.” *Id.* at ¶ [0017]. This clearly shows that the intended purport of Rajan would be destroyed and make Rajan inoperative for its intended purpose if emails were kept in the inbox in addition to being moved into spam directories, and as such, Applicants submit that copying emails, without further description in Rajan to clarify this point, does not mean that emails are kept both in the inbox and moved to a spam directory.

The idea of moving or copying emails from the inbox to spam directories not only teaches away from the invention of claim 15, as amended herein, but also renders Rajan inoperative for its intended purpose if Rajan were to be modified to not move emails into spam directories, but to keep all emails in a single inbox directory, as required by claim 15. As mentioned, the intended purpose of Rajan is to remove spam messages for the recipient’s inbox and move them to spam directories so that recipient has the option to view those spam emails or not. Claim 15, to the contrary, gives the recipient the opportunity to manipulate and modify the display of all emails in the user’s inbox so that all emails are shown, along with their junk ratings so that user can choose to view them at the user’s discretion. Maintaining all spam emails in the user’s inbox, as required by claim 15, makes Rajan unsatisfactory for its intended purpose.

In addition to Rajan, Applicants respectfully submit that Murray teaches away from the invention of claim 15, as amended herein. As claim 15 now recites that the email messages, even those with spam junk ratings, stay in the single inbox directory, Murray’s teachings are directly to the contrary. Murray, on the other hand, teaches that “the message could be deleted or sent to a spam folder (i.e., any folder designated as holding suspected unsolicited e-mail). In this embodiment, the spam folder is located at the recipient although it could be located at the incoming mail server in other embodiments.” Murray, ¶ [0027]. Every

embodiment of Murray teaches removing spam messages from the user's inbox. As such, when considered as a whole, Murray clearly teaches away from the invention of claim 15 and as such is improperly combined with the other cited references.

Further, modifying Murray to align with the teachings of claim 15 would render Murray unsatisfactory and inoperable for its intended purpose. The intended purpose of Murray is create a whitelist for e-mail messages that are received by a recipient. "The whitelist is constructed using e-mail addresses stored by the recipient." Murray, Abstract. "Although the whitelist may contain just e-mail addresses, the e-mail address may be combined with at least one other piece of information from the message header. This information includes fields such as the display name, the final IP address, x-mailer, final domain name, user-agent, information about the client software used by the sender. . ." *Id.* at ¶ [0025]. If Murray were to be modified to keep all emails in the inbox, this could completely render Murray unsatisfactory for its intended purpose, as the whitelist would be useless and would have no purpose, which is the crux of the entire invention of Murray.

In addition to Rajan and Murray, Applicants further submit that Adkins teaches away from the invention of claim 15, as it clearly teaches that "[i]f the received email message's sender is listed in the user's inclusive or temporary address book then the email is placed in the user's main mailbox" but "[i]f the sender is listed in the user's exclusive address book, then the message is deleted." Adkins, Abstract. Further, Adkins teaches that "[i]ncoming messages are not deleted (except for specified senders and domains) so the user never loses any e-mail. All messages from unauthorized senders are placed in a pending mailbox *outside of the users inbox.*" *Id.* at ¶ [0040] (emphasis added). As such, it is clear that Adkins, to the contrary of claim 15, does not keep all email messages in a single inbox directory, but rather deletes some

email messages and places others in a mailbox *outside of the users inbox*. This is directly contrary to claim 15 and thus teaches away from the invention of claim 15. As such, when considered as a whole, Adkins clearly teaches away from the invention of claim 15 and as such is improperly combined with the other cited references.

Similar to that described above with several other references, modifying Adkins to retain all email messages in a single inbox directory would render Adkins unsatisfactory for its intended purpose. The intended purpose of Adkins is to provide control of incoming email messages to a recipient's inbox by only allowing for authorized senders' emails to be kept in the inbox. Adkins, Abstract. Otherwise the messages are deleted or promptly moved to another folder other than the inbox. *See id.* at ¶ [0040]. Modifying Adkins so that all emails are placed and kept in a single inbox directory as required by claim 15 would completely render Adkins unsatisfactory for its intended purpose, in addition in destroying its principle of operation, as deleting/moving emails from the inbox that the user may not want to see is the purpose of Adkins. Otherwise there is nothing required if all emails are left in the inbox.

Dependent claims 17-18, 21-26, and 29 depend, either directly or indirectly from independent claim 15, and as such Applicants request removal of the 103(a) rejection of these claims for the same reasons provided above with respect to claim 15. As such, Applicants respectfully submit that claims 15, 17-18, 21-26, and 29 are now in condition for allowance, and request such favorable action.

### **New Claim 30**

New claim 30 recites, in part,

receiving a plurality of email messages *in a single inbox directory*;

assigning a junk rating for each of the plurality of email messages in the single inbox directory;

based on the junk rating, calculating a junk score for the each of the plurality of email messages *in the single inbox directory*;

displaying the junk ratings on a user interface in association with the respective email messages *in the single inbox directory*;

receiving an indication that a first email message of the plurality of email messages has been modified by the user; and

dynamically updating the junk rating of the first email message on the user interface based on the user modification to the first email message. (emphasis added)

For the reasons provided above with respect to independent claims 1 and 15, Applicants respectfully submit that Rajan, Murray, and Adkins teach away from the invention of claim 30, in addition to the modification of these references in light of new claim 30 rendering these references unsatisfactory and inoperable for their intended purpose. As such, it is respectfully submitted that new claim 30 is in condition for allowance.

### **CONCLUSION**

For at least the reasons stated above, claims 1-9, 11-12, 15, 17-18, 21-26, and 29-30 are now in condition for allowance. Applicants respectfully request withdrawal of the pending rejections and allowance of the claims. If any issues remain that would prevent issuance of this application, the Examiner is urged to contact the undersigned – 816-559-2436 or [emcfarland@shb.com](mailto:emcfarland@shb.com) (such communication via email is herein expressly granted) – to resolve the same. It is believed that no fee is due, however, the Commissioner is hereby authorized to charge any amount required to Deposit Account No. 19-2112 with reference to Attorney Docket Number 308122.01/MFCP.149237.

Respectfully submitted,

/ELENA K. MCFARLAND/

---

Elena K. McFarland  
Reg. No. 59,320

EKM/tt  
SHOOK, HARDY & BACON L.L.P.  
2555 Grand Blvd.  
Kansas City, MO 64108-2613  
816-474-6550